



**Fw: Honorable Judge Stuart M. Bernstein - RE: Gawker Case # 16-11700
(SMB) Petition Against Ropes and Gray Abuse**

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From: XP VEHICLES <legal@xpvehicles.com>
To: bernstein.chambers@nysb.uscourts.gov
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Subject: Honorable Judge Stuart M. Bernstein - RE: Gawker Case # 16-11700 (SMB) Petition Against Ropes and Gray Abuse

Petition For Court Order Against Ropes and Gray

Opposition Counsel have adopted a Nixon-Era play-book tactic of poo-hooing Plaintiff's charges as "conspiracy theory" in order to attempt to cause derisive mnemonic triggers and damage Plaintiffs. The FBI and other law enforcement specialists find the condescending attitude of Ropes and Gray to be disturbing relative to successfully completed similar RICO-class cases in which law enforcement officers risked, and lost, their lives. Plaintiff's and their contacts in law enforcement hereby petition the court to order Ropes and Gray to never again use the abusive, condescending, demeaning term "conspiracy theory" or "conspiracy theorists" in any authored document. Ropes believes that by calling Plaintiff a term as derogatory as "ni**er" or "Hollywood J*w" that they can trigger hateful speech and thoughts against Plaintiffs and law enforcement actions. The court is petitioned to order Defendants and their counsel to replace all uses of such defamatory and derogatory language with the term "RICO Case Investigators".

Following are a list of successful RICO cases just like the one discussed in this matter. If this order is not placed upon defendants counsel, then Defendants should read today's news at such links as:

<https://www.yahoo.com/news/china-says-defeated-conspiracy-stir-south-china-sea-051615591.html>

...in which one of the largest nations on Earth disclosed a "Conspiracy" of the same kind.

Do such organized crime cases exist and become uncovered on a daily basis? Take a look at these over-views from the FBI's own files and major news organizations:

Forty-Eight Alleged Members of Gangster Disciples Indicted on ...

May 4, 2016 ... Cases like these make a difference, and I want to thank all the law enforcement ... The FBI's Safe Streets Gang Task Forces recognize no boundaries either, and ... The Atlanta RICO conspiracy indictment names the following ...

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[https://www.justice.gov/opa/pr/forty-e\[...\]indicted-federal-racketeering-charges](https://www.justice.gov/opa/pr/forty-e[...]indicted-federal-racketeering-charges)

Hells Angels Motorcycle Club

In 1979 the United States Federal Government went after [Sonny Barger](#) and several members and associates of the [Oakland](#) charter of the [Hells Angels](#) using RICO. In *United States vs. Barger*, the prosecution team attempted to demonstrate a pattern of behavior to convict Barger and other members of the club of RICO offenses related to guns and illegal drugs. The jury acquitted Barger on the RICO charges with a [hung jury](#) on the predicate acts: "There was

no proof it was part of club policy, and as much as they tried, the government could not come up with any incriminating minutes from any of our meetings mentioning drugs and guns." [9][10]

Frank Tieri

On November 21, 1980, [Genovese crime family](#) boss [Frank "Funzi" Tieri](#) was the first [Mafia](#) boss to be convicted under the RICO Act. [citation needed]

Catholic sex abuse cases

In some jurisdictions, RICO suits have been filed against Catholic [dioceses](#), using anti-racketeering laws to prosecute the highers-up in the [episcopacy](#) for abuses committed by those under their authority [citation needed]. E.g. a Cleveland grand jury cleared two bishops of racketeering charges, finding that their mishandling of sex abuse claims did not amount to criminal racketeering [citation needed]. Notably, a similar suit was not filed against Cardinal [Bernard Law](#), then Archbishop/Emeritus of Boston, prior to his assignment to [Vatican City](#). [11][12] In 2016, RICO charges were considered for cover-ups in Pennsylvania. [13]

Gil Dozier

[Louisiana Commissioner of Agriculture and Forestry Gil Dozier](#), in office from 1976 to 1980, faced [indictment](#) with violations of both the [Hobbs](#) and the RICO laws. He was accused of compelling companies doing business with his department to make campaign contributions on his behalf. On September 23, 1980, the [Baton Rouge](#)-based [United States District Court for the Middle District of Louisiana](#) convicted Dozier of five counts of [extortion](#) and [racketeering](#). The sentence of ten years imprisonment, later upgraded to eighteen when other offenses were determined, and a \$25,000 fine was suspended pending appeal, and Dozier remained free on [bail](#). [14] He eventually served nearly four years until a presidential [commutation](#) freed him in 1986. [15]

Key West PD

About June 1984 the [Key West Police Department](#) located in the [County of Monroe](#), Florida, was declared a criminal enterprise under the [federal](#) RICO statutes after a lengthy [United States Department of Justice](#) investigation. Several high-ranking officers of the department, including Deputy Police Chief Raymond Cassamayor, were arrested on federal charges of running a [protection racket](#) for illegal [cocaine](#) smugglers. [16] At [trial](#), a witness testified he routinely delivered bags of [cocaine](#) to the Deputy Chief's office at City Hall. [17]

Michael Milken

On 29 March 1989 [American](#) financier [Michael Milken](#) was indicted on 98 counts of racketeering and fraud relating to an investigation into an allegation of [insider trading](#) and other offenses. Milken was accused of using a wide-ranging network of contacts to manipulate stock and bond prices. It was one of the first occasions that a RICO indictment was brought against an individual with no ties to organized crime. Milken pleaded guilty to six lesser felonies of securities fraud and tax evasion rather than risk spending the rest of his life in prison and ended up serving 22 months in prison. Milken was also ordered banned for life from the securities industry. [18]

On 7 September 1988, Milken's employer, [Drexel Burnham Lambert](#), was threatened with RICO charges *respondat superior*, the legal doctrine that corporations are responsible for their employees' crimes. Drexel avoided RICO charges by entering an [Alford plea](#) to lesser felonies of stock parking and stock manipulation. In a carefully worded plea, Drexel said it was "not in a position to dispute the allegations" made by the Government. If Drexel had been indicted under RICO statutes, it would have had to post a performance bond of up to \$1 billion to avoid having its assets frozen. This would have taken precedence over all of the firm's other obligations—including the loans that provided 96 percent of its capital base. If the bond ever had to be paid, its shareholders would have been practically wiped out. Since banks will not extend credit to a firm indicted under RICO, an indictment would have likely put Drexel out of business. [19] By at least one estimate, a RICO indictment would have destroyed the firm within a month. [20] Years later, Drexel president and CEO [Fred Joseph](#) said that Drexel had no choice but to plead guilty because "a financial institution cannot survive a RICO indictment." [21]

Major League Baseball

In 2002, the former minority owners of the [Montreal Expos](#) baseball team filed charges under the RICO Act against [Major League Baseball](#) commissioner [Bud Selig](#) and former Expos owner [Jeffrey Loria](#), claiming that Selig and Loria deliberately conspired to [devalue](#) the team for personal benefit in preparation for a move.^[22] If found liable, Major League Baseball could have been responsible for up to \$300 million in [punitive damages](#). The case lasted two years, successfully stalling the Expos' move to [Washington](#) or contraction during that time. It was eventually sent to [arbitration](#) where the arbiters ruled in favor of Major League Baseball,^[23] permitting the move to Washington to take place.

Pro-life activists

RICO laws were successfully cited in [NOW v. Scheidler](#), 510 U.S. 249, 114 S. Ct. 798, 127 L.Ed. 2d 99 (1994), a suit in which certain parties, including the [National Organization for Women](#), sought damages and an injunction against pro-life activists who physically block access to [abortion](#) clinics. The Court held that a RICO enterprise does not need an economic motive, and that the Pro-Life Action Network could therefore qualify as a RICO enterprise. The Court remanded for consideration of whether PLAN committed the requisite acts in a pattern of racketeering activity.

Los Angeles Police Department

In April 2000, federal judge William J. Rea in Los Angeles, ruling in one [Rampart scandal](#) case, said that the plaintiffs could pursue RICO claims against the LAPD, an unprecedented finding. The idea that a police organization could be characterized as a racketeering enterprise shook up City Hall and further damaged the already-tarnished image of the LAPD. However, in July 2001, U.S. District Judge Gary A. Feess said that the plaintiffs do not have standing to sue the LAPD under RICO because they are alleging personal injuries, rather than economic or property damage.^[24]

Mohawk Industries

On April 26, 2006, the [Supreme Court](#) heard *Mohawk Industries, Inc. v. Williams*, No. 05-465, [547 U.S. 516](#) (2006), which concerned what sort of corporations fell under the scope of RICO. Mohawk Industries had allegedly hired [illegal aliens](#), in violation of RICO. The court was asked to decide whether Mohawk Industries, along with recruiting agencies, constitutes an 'enterprise' that can be prosecuted under RICO, but in June of that year dismissed the case and remanded it to Court of Appeals.^[25]

Latin Kings

On August 20, 2006, in [Tampa, Florida](#), most of the state leadership members of the [street gang](#), the [Latin Kings](#), were arrested in connection with RICO conspiracy charges to engage in racketeering and currently await trial. The operation, called "Broken Crown", targeted statewide leadership of the Latin Kings. The raid occurred at the Caribbean American Club. Along with [Hillsborough County Sheriff's Office](#), [Tampa Police Department](#), the State Attorney's Office, the [FBI](#), [Immigration and Customs Enforcement](#), and the federal [Bureau of Alcohol, Tobacco and Firearms](#) were involved in the operation. Included in the arrest were leader Gilberto Santana from Brooklyn NY, Captain Luis Hernandez from Miami FL, Affiliate Celina Hernandez, Affiliate Michael Rocca, Affiliate Jessica Ramirez, Affiliate Reinaldo Arroyo, Affiliate Samuel Alvarado, Omari Tolbert, Edwin DeLeon, and many others, totaling 39.

Gambino crime family

Also, in Tampa, on October 16, 2006, four members of the [Gambino crime family](#) ([Capo Ronald Trucchio](#), Terry Scaglione, Steven Catallano, Anthony Mucciarone and associate Kevin McMahon) were tried under RICO statutes, found guilty and sentenced to [life in prison](#).

Lucchese Crime Family

In the mid 1990s, prosecuting attorneys [Gregory O'Connell](#) and Charles Rose used RICO charges to bring down the [Lucchese family](#) within an 18-month period. Dismantling the Lucchese family had a profound financial impact on previously Mafia held businesses such as construction, garment, and garbage hauling. Here they dominated and extorted money through taxes, dues, and fees. An example of this extortion was through the garbage business. Hauling of garbage from the [World Trade Center](#) cost the building owners \$1.2 million per year to be removed when the Mafia monopolized the business, as compared to \$150,000 per year when competitive bids could be sought.[\[26\]](#)

Chicago Outfit

[\[citation needed\]](#)]

In 2005, the [U.S. Department of Justice's Operation Family Secrets indicted](#) 15 [Chicago Outfit](#) (also known as the Outfit, the Chicago Mafia, the Chicago Mob, or The Organization) members and associates under RICO predicates. Five defendants were convicted of RICO violations and other crimes. Six plead guilty, two died before trial and one was too sick to be tried.

Michael Conahan and Mark Ciavarella

A federal grand jury in the Middle District of Pennsylvania handed down a 48-count indictment against former [Luzerne County](#) Court of Common Pleas Judges [Michael Conahan](#) and [Mark Ciavarella](#).[\[27\]](#) The judges were charged with RICO after allegedly committing acts of [wire fraud](#), [mail fraud](#), [tax evasion](#), [money laundering](#), and [honest services fraud](#). The judges were accused of taking [kickbacks](#) for housing juveniles, that the judges convicted of mostly petty crimes, at a private detention center. The incident was dubbed by many local and national newspapers as the "[Kids for cash scandal](#)".[\[28\]](#) On February 18, 2011, a federal jury found Michael Ciavarella guilty of racketeering because of his involvement in accepting illegal payments from Robert Mericle, the developer of PA Child Care, and Attorney Robert Powell, a co-owner of the facility. Ciavarella is facing 38 other counts in federal court.[\[29\]](#)

Scott W. Rothstein

[Scott W. Rothstein](#) is a disbarred lawyer and the former managing shareholder, chairman, and [chief executive officer](#) of the now-defunct **Rothstein Rosenfeldt Adler** law firm. He was accused of funding his philanthropy, political contributions, law firm salaries, and an extravagant lifestyle with a massive 1.2 billion dollar [Ponzi scheme](#). On December 1, 2009, Rothstein turned himself in to federal authorities and was subsequently arrested on charges related to RICO.[\[30\]](#) Although his arraignment plea was not guilty, Rothstein cooperated with the government and reversed his plea to guilty of five federal crimes on January 27, 2010. Bond was denied by U.S. Magistrate Judge Robin Rosenbaum, who ruled that due to his ability to forge documents, he was considered a flight risk.[\[31\]](#) On June 9, 2010, Rothstein received a 50-year prison sentence after a hearing in federal court in Fort Lauderdale.[\[32\]](#)

AccessHealthSource

Eleven defendants were indicted on RICO charges for allegedly assisting AccessHealthSource, a local health care provider, in obtaining and maintaining lucrative contracts with local and state government entities in the city of El Paso, Texas, "through bribery of and kickbacks to elected officials or himself and others, extortion under color of authority, fraudulent schemes and artifices, false pretenses, promises and representations and deprivation of the right of citizens to the honest services of their elected local officials" (see indictment).[\[33\]](#)

FIFA

Fourteen defendants affiliated with [FIFA](#) were indicted under the RICO act on 47 counts for "racketeering, wire fraud and money laundering conspiracies, among other offenses, in connection with the defendants' participation in

a 24-year scheme to enrich themselves through the corruption of international soccer." The defendants include many current and former high-ranking officers of FIFA and its affiliate [CONCACAF](#). The defendants had allegedly used the enterprise as a front to collect millions of dollars in bribes which may have influenced Russia and Qatar's winning bids to host the 2018 and 2022 [FIFA World Cups](#) respectively.[\[34\]](#)

Drummond Company

In 2015, the Drummond Company sued attorneys Terrence P. Collingsworth and William R. Scherer, the advocacy group International Rights Advocates (IRAdvocates), and Dutch businessman [Albert van Bilderbeek](#), one of the owners of [Llanos Oil](#), accusing them of violating RICO by alleging that Drummond had worked alongside [Autodefensas Unidas de Colombia](#) to murder labor union leaders within proximity of their Colombian coal mines, which Drummond denies.[\[35\]](#)

Connecticut Senator Len Fasano

In 2005, a federal jury ordered Fasano to pay \$500,000 under RICO for illegally helping a client hide their assets in a bankruptcy case.[\[36\]](#)

7 Insane Conspiracies That Actually ...

People love a good conspiracy theory. The JFK assassination plot, aliens crash landing at Roswell, the 9/11 truth movement and charges of government surveillance are ...

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[http://www.cracked.com/article_15974_7\[...\]](http://www.cracked.com/article_15974_7[...]nspiracies-that-actually-happened.html)[Politics](#)

The Enron Case

The Solyndra Case

The over 800 pedophile sex rings shut down by the FBI

The Cooperative British/U.S. Hydrant sex ring investigation

The Madoff Crimes

Watergate

The Jeffrey Epstein Case

Tech “Mobster” Elon Musk Helps California Rank No. 1 for Hillary Clinton Fundraising

by [Tim Higgins](#) [t timkhiggins](#)

Gregory Giroux t greggiroux



Elon Musk, co-founder and chief executive officer of Tesla Motors Inc., talks with members of the media after meeting Shinzo Abe, Japan's prime minister, in front of Tesla headquarters in Palo Alto, California, U.S., on Thursday, April 30, 2015.

Photographer: David Paul Morris/Bloomberg

Tesla's Elon Musk, Facebook's Sheryl Sandberg, Dreamworks co-founder Steven Spielberg, and actor Leonardo DiCaprio are among the Silicon Valley and Hollywood stars making California the No. 1 state for Hillary Clinton's presidential campaign fundraising last quarter.

Clinton, the front-runner among five candidates seeking the Democratic Party's nomination, raised \$8.1 million in the largest U.S. state, 17 percent of the nearly \$47 million she took in from contributors during the quarter that ended in June, according to a filing Wednesday with the Federal Election Commission.

The early support in California underscores the importance of the state to Democrats, who have long sought support from its wealthy entertainers and entrepreneurs. The list also included Dreamworks Chief Executive Officer Jeffrey Katzenberg, one of the biggest Democratic donors.

“I’d like to see her as president.”

—Sheryl Sandberg

Creative Artists Agency ranked among the best places for Clinton to raise money during the period. More than 50 employees from the Los Angeles-based talent agency donated a total of more than \$80,000. Other top California money sources included employees at Facebook and



Google.è

square before the information

Sheryl Sandberg, chief operating officer of Facebook Inc., speaks during a Bloomberg Television interview in San Francisco on April 23, 2015.

Photographer: David Paul Morris/Bloomberg

“I’d like to see her as president,” Sandberg, Facebook’s chief operating officer, told Bloomberg Television in April. “And I’d like to see more women presidents all over the world.”

More than 30 employees, including Gary Briggs, the chief marketing officer, joined Sandberg in donating about \$40,000 to Clinton. More than 100 Google employees, including some from New York offices, joined Susan Wojcicki, the company’s YouTube CEO, in giving a total of more than \$57,000.

Dreamworks’ Spielberg, Tesla’s Musk, power-agent Ari Emanuel of WME, and EBay CEO John Donahoe are also on the list of donors along with celebrities such as DiCaprio, Tobey Maguire, Dakota Fanning, Ben Affleck, and Chris Meledandri, the Oscar-nominated founder and chief executive officer of Illumination. Meledandri is a producer of the billion-dollar generating *Despicable Me* film franchise and prequel *Minions* , which topped the box office in theaters in the U.S and Canada this week.

[Equation shows that large-scale ...](#)

Other Sciences; Mathematics; January 26, 2016; Equation shows that large-scale conspiracies would quickly reveal themselves January 26, 2016

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[http://phys.org/news/2016-01-equation-\[\]scale-conspiracies-quickly-reveal.html](http://phys.org/news/2016-01-equation-[]scale-conspiracies-quickly-reveal.html)

18 Real Sinister Conspiracies That Actually Happened - Cracked.com

Sep 15, 2013 ... Actual conspiracies not only happen, but they are just as crazy as the fake ones. ... 18 Real Sinister Conspiracies That Actually Happened. Facebook · Twitter 29 Conspiracy Photos Crazy People Will Be Forwarding Next.

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[http://www.cracked.com/photoplasty_659\[...\]-conspiracies-that-actually-happened/](http://www.cracked.com/photoplasty_659[...]-conspiracies-that-actually-happened/)

Investigating Possible Conspiracies and ...

Investigating Possible Conspiracies and Cover-ups – JFK, The Moon Landings, etc. By Wade Frazier. Revised June 2014 . Introduction. Gary Wean and the JFK Assassination

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<http://ahealedplanet.net/cover-up.htm>

6 Insane Conspiracy Theories (That Actually Happened)

Jun 22, 2012 ... While they may not be as smart or capable of weather control as we give them credit for, the extremely wealthy do occasionally meet up in dark ...

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[http://www.cracked.com/article_19884_6\[...\]-theories-that-actually-happened.html](http://www.cracked.com/article_19884_6[...]-theories-that-actually-happened.html)

5 Conspiracy Theories You Won't Believe (Really Happened)

Jan 26, 2015 ... If you can honestly say that you've never encountered a delusionally paranoid conspiracy theorist, then welcome to your first day on the Internet ...

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[http://www.cracked.com/article_22016_5\[...\]-theories-that-actually-happened.html](http://www.cracked.com/article_22016_5[...]-theories-that-actually-happened.html)

Political Conspiracies Really Do Happen! - Information Liberation

Oct 18, 2006 ... A political event that is planned well in advance and timed to impact at the most expedient time requires a number of individuals to conspire to ...

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<http://www.informationliberation.com/?id=17109>

9 Huge Government Conspiracies That Actually Happened

Dec 23, 2013 ... 9 huge government conspiracies that actually happened ... But the people who spread these ideas usually can't prove them. As the years pass, ...

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<http://www.businessinsider.com/true-government-conspiracies-2013-12>



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